

COUNTY OF SUFFOLK



STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

SUFFOLK COUNTY PLANNING COMMISSION SUMMARY OF REGULARLY SCHEDULED MEETING

Jennifer Casey
Chairwoman

Sarah Lansdale, AICP
Director of Planning

Date: October 6, 2021
Time: 2:00 p.m.
Location: Zoom Meeting

Members Present (12)

Samuel Chu – Town of Babylon
David Doty – Town of East Hampton
Jennifer Casey – Town of Huntington
Matthew Chartrand – Town of Islip
John Condzella – Town of Riverhead
John Finn – Town of Smithtown
Daniel Flynn – Town of Southampton
Thomas McCarthy – Town of Southold
Adrienne Esposito – Villages Over 5,000
Michael Kaufman – Villages Under 5,000
Kevin Gershowitz – At Large (joined meeting late)
Errol Kitt – At Large

Members Not Present (3)

Michael Kelly – Town of Brookhaven
Elizabeth Galle – Town of Shelter Island
Rodney Anderson – At Large

Staff Present (6)

Sarah Lansdale – Director of Planning
Andrew Freleng – Chief Planner
Theodore Klein – Principal Planner
Christine DeSalvo – Principal Office Assistant
John Corral – Environmental Projects Coordinator
Brittany Toledano – Assist. County Attorney (Commission Counsel)

Call to Order - The Suffolk County Planning Commission meeting of October 6, 2021 was called to order by Chairwoman Jennifer Casey at 2:00 p.m.

Public Portion – There were no members of the public that requested time to speak to the Commission.

Adoption of Minutes - Motion to adopt the September 1, 2021 Meeting Minutes was made by Commission member Kaufman, seconded by Commission member McCarthy. Vote Approved unanimously.

Chairwoman's Report – Chairwoman Jennifer Casey informed the Commission that the Touro College's Land Use Institute has scheduled a 35th Anniversary Land Use Institute Conference in conjunction with the APA, there will be Planning credits as well as CLE credits available, to be held on October 19th and 20th and again October 26th and 27th, conference will take place in the afternoon and be done 'virtually'. The Chair indicated that there is a slight fee, and that she will see that the information get circulated to all the commissioners.

Director's Report – Director Sarah Lansdale informed the Commission that the County is making huge investments in wastewater infrastructure with the Legislature yesterday passing a major resolution, and the adoption of the 2022 to 2024 Capital Budget, and thanks to the Planning Commission 10 million dollars is set aside for affordable housing, as well as housing for individuals with disabilities under the banner of 'Inclusive Housing'. And lastly the Director announced that the Legislator adopted the 'Farms for the Future' resolution providing \$100 million in capital funding for farmland preservation, another priority that's been identified by the planning Commission.

Guest Speakers –

1. **Philip Butler**, of Farrell Fritz Law, as the Attorney for the Village of Huntington Bay, with the help from a representative of Cashin Associates and input from **Herb Morrow**, Mayor of the Village of Huntington Harbor; gave a presentation and answered Commission member questions, outlining the Village's rationale for requesting approval of the Village's 'Waterfront Moratorium', on today's Commission agenda.
2. **Neal Lewis**, Director of the Sustainability Institute at Molloy College, gave a brief presentation on the 'NYStretch Energy Code' which was developed by NYSEDA, and available for voluntary adoption by local governments as a more stringent local energy code. Mr. Lewis pointed out that there is grant money only available to the end of the year to help the local municipalities that are interested in incorporating the Stretch Code into their building code, resulting in buildings that achieve higher energy efficiency and savings; and addressed Commission member questions.

Section A14-14 thru A14-25 of the Suffolk County Administrative Code -

- **Inc. Village of Huntington Bay, Waterfront Moratorium;** the application is referred by the Incorporated Village of Huntington Bay Board of Trustees, received on September 14, 2021 - the Commission's jurisdiction for review is that the application is a zoning action, amendment to a local law and/or a moratorium, also is adjacent to a shoreline. The subject referral proposes to institute a six (6) month relating to Buildings and Structures at the Village shoreline.

According to the referral material, the moratorium is put forth no application will be accepted or processed or any permit or approval be issued, by the Board of Trustees, the Village of Huntington Bay Zoning Board of Appeals or any other board, department, officer or employee of the Village, calling for the construction modification, alteration, or enlargement of any building or structure located within twenty (20) feet of the mean High-water mark of Huntington Harbor or Huntington Bay. In addition to the proposed enactment of the six-month time frame of the moratorium, the "law further provides for two six-month extensions of the moratorium by resolution of the Board of Trustees." This clause effectively makes the moratorium an eighteen (18) month moratorium.

The staff report recommended disapproval of the proposed six month moratorium with two (2) six month extension on development in the defined area and gave four (4) reasons and also offered three (3) comments for their consideration and use by the Huntington Bay Village Board of Trustees.

After deliberation Commission member Kaufman made a motion to amend the staff report and approve the moratorium subject to one (1) modification stating that 'At the end of the six month time period the Village of Huntington Bay must bring the moratorium request back to the Suffolk County Planning Commission with a report on the status of the LWRP that this moratorium is tied to', and to also offer four (4) comments for their consideration and use by the Huntington Bay Village Board of Trustees. The motion was seconded by Commission member McCarthy, vote to Approve; 10 ayes, 2 nays (Finn, Gershowitz), 0 abstentions.

- **Equestrian Estates of Melville –** The application is referred by the Town of Huntington, received on September 16, 2021 - the Commission's jurisdiction for review is that the application is located within 500 feet of Northern State Parkway (State Route). Applicants are seeking approval from the Huntington Town Board for a change of zone of 21.54 acres from Residence R-80 District to the newly adopted Special Equestrian Center /Overlay District in order to maintain a portion of the existing horse farm and subdivide and redevelop the remainder of the parcel with single-family home. The proposal includes a layout of twenty-three (23) single family homes clustered around a loop road, and a 5-acre portion of the parcel to remain as the horse farm. Three (3) of the units would be set aside as affordable housing units.

The staff report recommended approval of the change of zone of 21.54 acres from Residence R-80 District to the newly adopted Special Equestrian Center /Overlay District and offered eight (8) comments for the consideration and use by the Town of Huntington.

Section A14-14 thru A14-25 of the Suffolk County Administrative Code - (continued)

Equestrian Estates of Melville – (continued) There was discussion regarding increased wastewater generated, the compatibility of the horse farm in close proximity to the proposed houses, and how it aligns with the NYS Agriculture and Markets area requirements for equestrian farms.

After deliberation there was a motion to adopt the staff report as written and approve the change of zone and offer eight (8) comments to the Town of Huntington for their consideration and use. The motion was made by Commission member McCarthy and seconded by Chairwoman Casey, vote to Approve failed; 6 ayes, 4 nays, 1 abstentions (Gershowitz), note Chu had left meeting prior to vote. Therefore as the necessary votes were unavailable to carry a resolution there was No Action taken by the Planning Commission on the referral

Other Commission Business

- Commission members and staff briefly discussed the distinctions among commission actions such as approvals, disapprovals, no actions and local determinations.
- The Chair reminded the Commission that the next regularly scheduled Commission meeting will be Zoom only.

Meeting Adjournment (3:35 p.m.)

The motion to adjourn the meeting was made by Chairwoman Casey, and approved unanimously.